CITIZENSHIP AND IDENTITY

09/01/10

SA-3240 CITIZENSHIP AND IDENTITY

RE-ISSUED 09-01-2010

I. INTRODUCTION

The purpose of this section is to provide instructions for determining U.S. citizenship, identity and immigration status of the Special Assistance applicant/recipient.

The Federal Deficit Reduction Act of 2005 (P.L. 109-171) mandated requirements that affect all Special Assistance applicants and recipients claiming to be citizens of the United States, effective September 1, 2006.

To be eligible for Special Assistance, an individual must be an identifiable U.S. citizen or an alien admitted to the United States by U.S. Citizenship and Immigration Services (USCIS) under a specific immigration status.

Regardless of immigration status, each a/r must meet all eligibility requirements for Special Assistance.

A. Exceptions to Requirements to Provide Documentation of Citizenship and Identity, and Immigration status.

Do not determine citizenship, identity or immigration status for SA applicants who currently receive or formerly received Supplemental Security Income (SSI), Social Security Disability (SSDI), or Medicare, and are current or former Lawful Permanent Resident (LPR) applicants/recipients. Citizenship, identity or immigration status is verified prior to receipt of SSI, SSDI, and Medicare.

B. Responsibility to Provide Documentation of Citizenship, Identity and Immigration Status

It is the applicant's responsibility to provide verification of citizenship and/or immigration status; however, the caseworker must offer assistance to the applicant in obtaining the required verification.

- 1. The county dss must assist the applicant in acquiring the documents if:
 - a. The applicant cannot obtain the necessary documents, or
 - b. The applicant requests assistance obtaining the necessary documents, or
 - c. The applicant demonstrates a need for assistance or if the applicant has special needs such as a mental or physical incapacity and lacks someone who can act on his behalf.

CITIZENSHIP AND IDENTITY

09/01/10

II. U.S. CITIZENSHIP

U.S. citizens are entitled to receive Special Assistance benefits provided all other eligibility requirements are met. All applicants and recipients claiming U.S. Citizenship, excluding current or former SSI, SSDI, or Medicare recipients, and documented LPR's, must provide or cooperate in obtaining proof of citizenship and identity. Below is a list of who is a U.S. citizen but it is not an all inclusive list.

A. A U.S. Citizen is:

- 1. Any person born in one of the 50 states, the District of Columbia, Puerto Rico, Guam, Virgin Islands, Northern Mariana Islands, American Samoa, Swain's Island, or
- 2. Any person born outside the U.S. to a U.S. citizen, or
- 3. A person born outside the U.S. who has been approved by USCIS as a naturalized citizen, or
- 4. A person born outside of the U.S. who was under the age of 18 on February 27, 2001, and who meets all of the following criteria:
 - a. Had at least one U.S. citizen parent (by birth or naturalization) at time of birth, and
 - b. While under the age of 18 he resided permanently in the U.S. in the legal and physical custody of the U.S. citizen parent, and
 - c. Was a lawful permanent resident before age 18.

B. Procedures to Document Citizenship and Identity

1. Applications

- a. Beginning September 1, 2006, each applicant or recipient claiming U.S. citizenship must provide acceptable proof of both citizenship and identity. To document citizenship and/or identity follow these procedures. <u>SA-3240 Figure 1</u> is a guide/worksheet to assist in this process.
- b. Review the case record and <u>all</u> county records, including other program records such as Food Stamps, for citizenship and/or identity evidence the agency may have on file.
- c. If evidence is located, make a copy of the evidence documentation for the Special Assistance file and clearly document:
 - (1) Where the evidence was located,

CITIZENSHIP AND IDENTITY

09/01/10

- (2) The date the documentation was provided to the county, and
- (3) What hierarchy code it falls in (see II.C).

If the date of receipt by the county is unknown, note the date the worker located the document.

- d. If the applicant cannot obtain the necessary documents, requests or demonstrates a need for assistance due to a mental or physical incapacity and lacks someone who can act on his behalf, the county must assist the applicant/recipient in acquiring the documents. See SA-3110, Application Process.
- e. If documentation is provided within 45/60 days, process the application. See SA-3110, Application Process.
- f. Pend the application up to 6 months with a "CID" entry on the DSS-8125 when:
 - (1) The applicant is making a good faith effort to provide the documentation, or
 - (2) The county has not received citizenship/identity verification requested from a third party.

Reference SA-3110, Application Process, for other reasons to pend the application.

If additional items in SA-3110, Application Process, are also needed prior to processing the application, pend the application with the item most likely to take the most time to obtain. Process the application when all information is received.

- g. Unless pending for an SSA/SSI decision, deny the application after pending 6 months if:
 - 1. Information needed to obtain the source for documentation is not received, or
 - 2. The documentation request is returned as unable to confirm, and
 - 3. All other efforts to obtain the documentation fail.
- h. Applications pending for SSA/SSI decision may pend up to 12 months.

2. Redeterminations

Beginning September 1, 2006, at redetermination review all agency records to determine if at least the citizenship and identity has been documented. If documentation is needed, make two requests of the recipient for the needed information. Follow procedures in <u>SA- 3320</u>, <u>Redetermination of Eligibility</u>. Use the

CITIZENSHIP AND IDENTITY

09/01/10

<u>DMA-5097</u>, <u>Request for Information</u>. Ensure that requests are made at least 12 days apart.

- a. If the recipient states he does not have documentation and is making a good faith effort to obtain the needed documents or the county DSS is responsible for assisting, document the record, complete the re-determination, and use Special Review Code "Z" on the DSS-8125 to follow up on the status of obtaining the documents.
- b. Use the third month of the new certification period for the date on the DSS-8125. Begin to follow up on all documentation needs when the Special Review Code first appears on the Case Management Report. Contact the recipient to determine if the recipient has obtained the documents or needs assistance in obtaining them.

Note: Once documentation has been obtained it will not need to be provided again, unless it is subsequently discovered that the documentation is questionable.

- c. If it is documented that the recipient is not a U.S. Citizen or a qualified alien send a DSS-8110, Timely Notice to terminate assistance. Follow procedures in SA-3330.
- 3. Citizenship Sources of Documentation
 - a. Use OLV to access SDX and SOLQ to locate documentation of citizenship and identity for former or current SSI, SSDI, and Medicare recipients, and current or former Lawful Permanent Resident (LPR) applicants/recipients. Use SDX for former or current SSI recipients and SOLQ for former or current Medicare recipients. Refer to SA-3240 III. B. 1., Non-Citizens, for instructions on obtaining documentation of LPR status.
 - b. If possible in your county, establish citizenship through electronic data matching with the local register of deeds. Screen print the data. The county may also go to the register of deeds and locate the birth record. Document the birth record observed and the location at the register of deeds. Place documentation in the Permanent Verification sub-folder, labeled Citizenship/Identity file. See II.B.6.

Certified copies of North Carolina birth records/certificates require an authorization from the applicant/recipient or legal guardian for the county to make a request for a birth certificate. When the a/r requests or needs assistance in obtaining citizenship documentation, use SA-3240 Figure 2, U.S. Citizenship Documentation Birth Certificate Request, to send to the county register of deeds or State Vital Records a request for a birth certificate. Only the a/r or legal guardian can authorize this request. A copy of the legal guardianship papers must accompany the request.

Instructions on obtaining a North Carolina certified birth record/certificate are also on the North Carolina Vital Records web site at http://vitalrecords.dhhs.state.nc.us. Links

CITIZENSHIP AND IDENTITY

09/01/10

to other state's Vital Records web sites are at http://www.cdc.gov/nchs/howto/w2w/w2welcom.htm.

c. Documents must be either originals or copies of documents certified by the issuing agency. Do not accept notarized copies.

To establish U.S. citizenship the document must show:

- (1) A U.S. place of birth, or
- (2) That the person is a U.S. citizen.

Note: Children born in the U.S. to foreign sovereigns or diplomatic officers are not U.S. citizens. However, children born to U.S. citizens in a foreign country have U.S. citizenship as well as citizenship in the foreign country. The parents or child chooses his citizenship.

- 4. Identity Sources of Documentation
 - a. Conduct an SOLQ social security number inquiry for each applicant or recipient at redetermination. The a/r's SSN must match the information on the SOLQ. If the inquiry returns a validated social security number match, print the screen and follow procedures in II. B.6. below. If the social security number does not validate, pursue another form of identity.
 - b. To establish identity a document must show evidence that provides identifying information relating to the person named on the document.
- 5. Exceptions to Providing Proof at Application/Redetermination
 - a. Citizenship and identity documentation are not required at an SSI ex parte review. Use hierarchy code 99 at the ex parte review and obtain the documentation at the next scheduled redetermination.
 - b. A current or former SSI recipient and a current or former SSDI, and/or Medicare recipient had citizenship/identity established. Use OLV to access the SDX to prove current or former SSI status. Use OLV to access SOLQ to prove current or former SSDI and/or Medicare status. Print the screen with the evidentiary information and put in the Citizenship/Identity Documentation sub-folder in the recipient's Permanent Verification folder. Use hierarchy code 50.
 - c. Use SAVE, Systematic Alien Verification for Entitlement Program, to verify the authenticity of the LPR Document. Print the screen with the evidentiary information

CITIZENSHIP AND IDENTITY

09/01/10

and put in the Citizenship/Identity Documentation sub-folder in the recipient's Permanent Verification folder. Use hierarchy code 50.

- 6. Documentation of Citizenship/Identity
 - a. Place copies of the original documents, certified copies, or data match screen prints used to document citizenship and identity in a sub-folder or file in the a/r's permanent record labeled "Citizenship/Identity Documentation".

Document in the permanent record:

- (1) The type of document used,
- (2) How it was obtained (e.g. applicant, located in food stamp program files, etc.),
- (3) The date it was provided, and
- (4) Any other information the worker feels pertinent.

If a screen print is used, document the source of the evidence. Once citizenship and identity documentation is obtained, do not request documentation again unless you learn the previous document is questionable.

- b. Document the hierarchy code in EIS where the provided documents are listed. (See EIS 4000, Codes Appendix) Use the following Citizenship/Identity (C/I) codes:
 - (1) 10 is a document from Chart 1 (no identity needed).
 - (2) 25 is a document from Chart 2 & a document from Chart 5.
 - (3) 35 is a document from Chart 3 & a document from Chart 5.
 - (4) 45 is a document from Chart 4 & a document from Chart 5.
 - (5) 50 is a document showing permanently exempt, SSI, SSDI, and/or Medicare, or Lawful Permanent Resident status.
 - (6) 99 is used for ex parte situations where the individual is not required to provide verification until the next redetermination.

C. Hierarchy of acceptable evidence of U.S. citizenship and/or identity

The following charts list acceptable evidence of U.S. citizenship and/or identity in a hierarchy of reliability. Obtain documents from the highest tier of hierarchy available. Pursue documents

CITIZENSHIP AND IDENTITY

09/01/10

from Chart 1 first. If the a/r presents documents from the highest tier, Chart 1, Primary Documents, no other information is required.

If the a/r does not have documents from Chart 1, then pursue documents from Chart 2 and so forth until the highest verification documentation is obtained. If the a/r presents documents from Charts 2-4, then an identity document from Chart Five, Documents to Establish Identity, must also be presented.

If the county is waiting to receive documentation from a higher level but can easily obtain documentation from a lower level, pursue the lower level documentation so the application will not pend. Continue to pursue the higher level of documentation. For example, a birth certificate is requested from Vital Records and the a/r has a hospital record indicating citizenship per Chart 3. Change the C/I code level when the higher documentation (Birth Certificate) is received.

1. Primary Documents

Primary documents are of the highest reliability and conclusively establish both citizenship and identity of the a/r.

A/R's born outside the U.S. who were not citizens at birth must submit a document listed under primary evidence of U.S. citizenship.

Chart 1 (EIS Code 10)

CHAIT (ELS COAC 10)	
U.S. Passport	Does not have to be currently valid.
	Do not accept as evidence of U.S. citizenship when it was issued with a limitation. However, such a passport may be used as proof of identity.
Certificate of Naturalization (N-550 or N-570)	
Certificate of Citizenship (N-560 or N-561)	

2. Secondary Documents to Establish U.S. Citizenship

Accept any of the documents listed in Chart 2 as secondary evidence of U.S. citizenship if the document meets the listed criteria and there is nothing indicating the person is not a U.S. citizen (e.g., lost U.S. citizenship). Require an additional document from Chart 5 to prove identity.

Chart 2 (EIS Code 25)

A U.S. public birth record	A data match with the local register of deeds or State
showing birth in:	Vital Records or a copy of a certified birth certificate
• One of the 50 U.S. States;	is acceptable.
• District of Columbia;	

CITIZENSHIP AND IDENTITY

09/01/10

 American Samoa Swain's Island *Puerto Rico (if born on or after January 13, 1941); *Virgin Islands of the U.S. (on or after January 17, 1917; *Northern Mariana Islands (after November 4, 1986; or Guam (on or after April 10, 1899) 	The birth record document may be issued by the State, Commonwealth, territory or local jurisdiction. It must have been issued before the person was 5 years of age. A birth record document that is amended after 5 years of age is considered fourth level evidence of citizenship. Refer to Chart 4. Note: if the document shows the individual was born in Puerto Rico, the Virgin Islands of the U.S., the individual may be a collectively naturalized citizen. *See Figure 3 for additional requirements for Collective Naturalization.
Data Match with other state agency's database that is known to verify citizenship.	Agencies and programs such as child support, child protective services. Screen print the pertinent page and place in the file.
Certification of Report of Birth (DS-1350)	
Consular Report of Birth Abroad of a Citizen of the United States of America (FS- 240)	
Certification of Birth Abroad (FS-545)	
United States Citizen Identification Card (I-197 or I- 179)	
American Indian Card (I-872)	
Northern Mariana Card (I-873)	Most shows the shild a none and II C. store St. d.
Final adoption decree Evidence of civil service	Must show the child's name and U.S. place of birth.
employment by the U.S. government	Must show employment by the U.S. government before June 1, 1976.
Official Military record of service	Must show a U.S. place of birth.

3. Third Level Documents to Establish U.S. Citizenship

When primary or secondary evidence cannot be obtained within the 45/60 day processing time period and the a/r reports being born in the U.S., use the third level of evidence. Also use third level evidence when documents from level one or two are unavailable or do not exist. The place of birth on the non-government document and the application must agree. Require an additional document from Chart 5 to prove identity.

CITIZENSHIP AND IDENTITY

09/01/10

Chart 3 (EIS Code 35)

Extract of hospital record on	Do not accept a souvenir "birth certificate"
hospital letterhead	issued by the hospital (also known as a "Mother's
established at the time of the	Copy").
person's birth and was	
created at least 5 years before	
the initial application date	
and indicates a U.S. place of	
birth	
Life or health or other	Life or health insurance records may show
insurance record showing a	biographical information for the person including
U.S. place of birth and was	place of birth. The record can be used to establish
created at least 5 years before	U.S. citizenship when it shows a U.S. place of
the initial application date.	birth.

4. Fourth Level Documents to Establish U.S. Citizenship

Use fourth level evidence in the rarest of circumstances. When primary, secondary or third level evidence cannot be obtained within the 45/60 day processing time period and the a/r reports being born in the U.S., use the fourth level of evidence. Also use fourth level evidence when documents from levels one, two or three are unavailable or do not exist. The place of birth on the non-government document and the application must agree. Require an additional document from Chart 5 to prove identity.

Chart 4 (EIS Code 45)

Federal or State census record showing U.S. citizenship or a U.S. place of birth (Generally for persons born 1900 through 1950)	The census record must also show the applicant's age. Note: Census records from 1900-1950 contain certain citizenship information. To secure this information, the a/r or DSS should complete and submit Form BC-600, Application for Search of Census Records for Proof of Age. Add in the remarks portion "U.S. citizenship data requested." Also add that the purpose is for Special Assistance eligibility. This form requires a processing fee.
One of the following documents that show a U.S. place of birth and was created at least 5 years before the application for Special Assistance. This document must be one of the following and show a U.S. place of birth:	 Seneca Indian tribal census. Bureau of Indian Affairs tribal census records of the Navajo Indians. U.S. State Vital Statistics official notification of birth registration. An amended U.S. public birth record that is amended more than 5 years after the person's birth. Statement signed by the physician or midwife who was in attendance at the time of birth.
Institutional admission papers from a nursing facility, skilled	Admission papers generally show biographical information for the person including place of birth.

CITIZENSHIP AND IDENTITY

09/01/10

care facility or other institution (does not include adult care homes).	The record can be used to establish U.S. citizenship when it shows a U.S. place of birth.
Medical (clinic, doctor, or hospital) record created at least 5 years before the initial application date that indicates a U.S. place of birth. Written Affidavit	Medical records generally show biographical information for the person including place of birth. The record can be used to establish U.S. citizenship when it shows a U.S. place of birth. Note: An immunization record is not considered a medical record for purposes of establishing U.S. citizenship. Use only when the DSS is unable to secure evidence
	of citizenship listed in any other Chart. There must be at least two affidavits by two individuals who have personal knowledge of the event(s) establishing the a/r's claim of citizenship. At least one of the individuals making the affidavit cannot be related to the a/r. Neither of the two individuals can be the a/r.
	The person(s) making the affidavit must be able to provide proof of his/her own citizenship and identity for the affidavit. If the affiant has information which explains why documentary evidence establishing the a/r's claim of citizenship does not exist or cannot be readily obtained, the affidavit should contain this information as well.
	A separate affidavit from the a/r or other knowledgeable individual (guardian or representative) explaining why the evidence does not exist or cannot be obtained must also be provided.
	The affidavits must be signed under penalty of perjury by the person making the affidavit.

5. Evidence of Identity

When a document from charts 2-4 is presented, a document from chart 5 is also required.

Chart 5 (EIS Code 25, 35, 45)

SOLQ Social Security number	Must have a "Social Security number verified"
inquiry	statement returned from the inquiry. Screen print the
	pertinent evidence for the file.
Data Match with other state	The data match must indicate that an identity has been
agency's data systems	verified. Examples of such agencies or programs
	include food stamps, child support, child protective
	services, motor vehicle, corrections, juvenile
	detention. Screen print the pertinent evidence for the

CITIZENSHIP AND IDENTITY

09/01/10

	file.
Driver's license	Must have a photograph of the a/r or other identifying
	information of the individual such as name, age, sex,
	race, height, weight or eye color. Does not need to be
	current.
School identification card	Must have a photograph of the individual.
U.S. military identification card	Does not have to be current.
or draft record	
Identification card issued by the	Does not have to be current.
Federal, State, or local	
government with the same	
information included on driver's	
license.	
Military dependent's	Does not have to be current.
identification card	
Certificate of Degree of Indian	Must have a photograph of the a/r or have other
Blood, or other U.S. American	personal identifying information relating to the
Indian/Alaska Native tribal	individual.
document	
Native American Tribal	
document	
U.S. Coast Guard Merchant	
Mariner card	

D. Procedures When No Documentation or Information is Provided

- 1. Individuals who meet the criteria in II.A.4. are not automatically issued proof of citizenship by USCIS. The parent may apply for a certificate of citizenship for his child with the USCIS and/or for a passport for his child with the Department of State.
- 2. If an applicant is a naturalized citizen and cannot provide documentation of citizenship, refer the applicant to U.S. Citizenship and Immigration Services (USCIS) at:

Charlotte Sub Office 6130 Tyvola Centre Drive Charlotte, North Carolina 28217 Telephone: (800) 375-5283

3. Treat this individual as an ineligible alien until verification is provided.

III. NON-CITIZENS

A. Overview

Individuals who live in the U.S. but are not citizens are aliens. Coverage for Special Assistance is based on their immigration status with USCIS and the date they are admitted by USCIS under that status. A non-qualified alien is not eligible for Special Assistance.

CITIZENSHIP AND IDENTITY

09/01/10

This section defines qualified aliens and non-qualified aliens, when they are eligible for Special Assistance based on the date admitted, USCIS documentation of alien status, and DSS procedures to establish status.

B. Qualified Aliens

The two main categories of immigrants established by USCIS that are considered qualified aliens are described in <u>III.B.1.</u> and <u>2.</u>, below. They each have different disqualification periods based on the immigrant's status at the time he was admitted to the U.S. by USCIS. The qualified aliens described below are the only aliens eligible for Special Assistance. (This list is all-inclusive). Refer to SA-3240 Figure 4 for verification documents.

1. Lawful Permanent Resident (LPR)

a. Definition

An LPR is an alien who is legally admitted to the U.S. by the USCIS to live and work on a permanent basis. An LPR is often referred to as a "resident alien." USCIS issues each LPR an I-551. This is known as a "green card", even though it is not green. Aliens recently admitted to the U.S. as a LPR, or who have applied for a replacement I-551 may only have the I-94 with a temporary I-551 stamp.

b. Five Year Disqualification Period of LPRs

LPRs admitted to the U.S. on or after August 1, 1996, are not eligible for Special Assistance for 5 years from the date they are admitted to the U.S. as an LPR. This is a mandatory 5-year disqualification period. After the 5-year disqualification period has expired, LPRs meet immigration eligibility requirements for Special Assistance. Reverify their status with USCIS.

- (1) For example, an immigrant admitted as an LPR by INS in January 2004 is ineligible for SA until January 2009.
- (2) The 5-year disqualification period does NOT apply to an LPR:
 - (a) Admitted to the U.S. as an LPR prior to August 1, 1996, or
 - (b) Who adjusts his/her status to U.S. citizen during the 5 year disqualification period, or
 - (c) Who is an honorably discharged U.S. veteran or active duty military or his/her spouse and dependent child under 21, or

CITIZENSHIP AND IDENTITY

09/01/10

- (d) Originally admitted by USCIS to the U.S. under a political designation who has adjusted to LPR status within the first 5 years. Refer to III.B.2. below, or
- (e) An American Indian born in Canada to whom the provisions of section 289 of the INA apply, or who is a member of an Indian tribe as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act.

2. Aliens Admitted Under a Specific Political Status

a. Definition

Aliens can be legally admitted to the U.S. by the USCIS as a type of refugee for many different political reasons. For example, an individual may be admitted to the U.S. because he is fleeing persecution in his own country, or USCIS determines it is in the public interest. Aliens admitted by the USCIS under a specific section of the Immigration and Nationality Act (INA) identified below are considered qualified aliens (This list is all inclusive):

- (1) A refugee admitted under section 207 of the Immigration and Nationality Act (INA), or
- (2) An asylee admitted under section 208 of the INA, or
- (3) A refugee whose deportation is withheld under section 243(h) of the INA, or
- (4) An alien paroled under section 212(d)(5) of the INA for at least 1 year, or
- (5) An alien granted conditional entry under section 203(a)(7) of the INA in effect prior to April 1, 1980, or
- (6) An alien granted status as a Cuban/Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980, or
- (7) An Amerasian immigrant admitted pursuant to Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988.
- b. Seven Year Limitation Period for Aliens Admitted Under a Political designation

CITIZENSHIP AND IDENTITY

09/01/10

- (1) Aliens admitted to the U.S. under one of the political designations listed above are potentially eligible for Special Assistance for 7 years from the date they are admitted to the U.S. under that status. This is a 7-year period of potential Special Assistance. (This is just the opposite of aliens admitted, as LPR's who are ineligible for SA for the first 5 years.) After the 7-year period has expired, the alien is ineligible for SA if his status remains the same. If the alien has adjusted his status after the 7-year period, determine eligibility for these individuals under their current status.
- (2) Political admissions can adjust their status to LPR within the 7-year period. However, he remains potentially eligible for SA for 7 years from the date he was admitted as a refugee/asylee, etc. For example, an individual is admitted as refugee in January 2004. He adjusts his status to LPR in 2005. Regardless, he remains potentially eligible for SA based on being admitted as a refugee/asylee through December 31, 2010.
- (3) The 7-year period of eligibility does not apply to honorably discharged U.S. veteran or active duty military and their spouse or dependent child under 21.

C. Procedures to Verify and Document Qualified Alien Status

Verification of qualified alien status is a two-step process. First, verify the date the alien was admitted to the U.S. and the status under which the SA applicant was admitted. Secondly, based on the date of admission determine whether the 5 year disqualification period or 7 year optional eligibility period applies.

- 1. Request the alien's original USCIS documents:
 - a. If the documents verify that the SA applicant is a qualified alien as defined above, continue with these procedures. Document the status under which the SA applicant was admitted.
 - b. If the applicant is not a "qualified alien," he is not eligible for SA. The application must be denied.
 - c. If the SA applicant's status cannot be verified because the documents are not readily available or are incomplete, refer the applicant to USCIS.
- 2. Write the applicant's current immigration status on the SA application. Explain that by signing an SA application, the applicant is certifying his/her immigration status.

CITIZENSHIP AND IDENTITY

09/01/10

- 3. Document the date the applicant was admitted to the U.S.
- 4. Determine whether the 5-year disqualification period OR the 7-year period of potential SA eligibility applies:
 - a. If the applicant's current status is LPR, determine whether the 5-year disqualification period applies based on the SA applicant's admission date.

Note: This does not apply to LPR's who were admitted as LPR's prior to August 1, 1996, or veterans/active duty military and spouse/unmarried dependents, or LPRs originally admitted under a political designation, as described in this procedure.

- b. If the applicant's status is one of the political designations defined above, determine whether the 7-year period of SA eligibility applies.
- c. If the applicant's current status is LPR, but he/she claims he was a political admission within the past 7 years, he remains potentially eligible for 7 years from the date he was admitted. This is verified when the I-551 indicates a code of RE-6, RE-7, RE-8, or RE-9.
- d. Document the date the 5-year disqualification period or 7-year eligibility period expires at each application and redetermination. The SA case should be flagged as to when the 5-year disqualification period or 7-year eligibility expires.
- 5. Verify the authenticity of the alien document and the date of admission using the webbased Systematic Alienage Verification for Entitlements (SAVE) Verification Information System (VIS). The SAVE instructions are located in the EIS Manual, Section EIS-1108. For secondary verifications, refer to the G-845 form.
- 6. File a copy of the USCIS documentation in the applicant's record.
- 7. Reverify alien status when the alien status is subject to change.